



October 15, 2008



Neil Emory
County Manager

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Assistant County Manager

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Jaclynne Drummond
Compliance Hydrogeologist
NC Department of Environment and Natural Resources
Division of Waste Management – Solid Waste Section
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**RE: Selection of Corrective Action Remedy
Dunn-Erwin Landfill Facility
SWS Permit No. 43-02
Harnett County, NC**

Ms. Drummond,

This letter is to serve as the official notification of the selection of a Corrective Action Remedy and Technology to be utilized for remediation at the Dunn-Erwin Landfill Facility.

Introduction

This letter is in response to a recent phone conversation you held on October 3, 2008 with Tyrus Clayton, PE of C. T. Clayton, Sr., PE, Inc., (County's Solid Waste consulting engineer) concerning the County's non-compliance with selecting a corrective action remedy and filing the appropriate permit modification request. C. T. Clayton, Sr., PE, Inc. (CTC) issued an Assessment of Corrective Measures Report in late 2007 for approval by the SWS section. Upon receipt of that approval, a public hearing was held to discuss the report on March 31, 2008. Copies of the meeting minutes were submitted to your office.

We apologize for not understanding that there was a specific deadline for submission of a Corrective Action Plan (CAP) and a permit modification request. To our knowledge, no correspondence or memorandum has been received by us or CTC stating July 1, 2008 as that deadline. We and CTC are committed to complying with the solid waste rules and regulations in a timely manner (See Schedule below).

Selected Remedy

After analysis of the ACM Report and the outcome of our public hearing, the County has discussed the available Corrective and Remedial Technologies in conjunction with the Dunn-Erwin Facility. As a result, per the requirements of SWS Rule 15A NCAC 13B .1636, the County has selected Phytoremediation as the technology to be utilized as a Corrective Action at the Dunn-Erwin Landfill Facility. In the event that Phytoremediation proves to be an ineffective technology for the site, other technologies presented in Section 4 of the ACM (CTC, 2007) will be evaluated and implemented upon approval and permitting by the Solid Waste Section.

Phytoremediation was evaluated in the ACM per the of SWS Rule 15A NCAC 13B .1635 and .1636(c). Per site conditions and known properties of the contaminant plume it was decided that Phytoremediation would be an effective and cost effective technology for the corrective action.

Schedule of Implementation

In conjunction with CTC and per the requirements of SWS Rule 15A NCAC 13B .1636(d), the following schedule of the implementation of the Corrective Action Plan (CAP) is provided for the comment and approval of the Solid Waste Section:

File Permit Modification request to Permit 43-02 for the inclusion of the CAP	October 29, 2008
File Erosion and Sediment Control Plan for the CAP for approval by NCDENR-LQS	October 29, 2008
Begin grading necessary for the implementation of the pilot study portion of the CAP	December 1, 2008*
Implement the CAP Pilot Study -installation of vegetation - installation of additional groundwater monitoring wells	March 31, 2009*
Conduct Pilot Study and associated monitoring for assessment of CAP impact and effectiveness.	March 31 thru Oct 31, 2009* (full growing season)
Adjust CAP design for full implementation based upon CAP Pilot Study results	November thru Feb. 2010*

Implement full CAP design and
associated groundwater monitoring

March – April 2010*

Estimated completion of CAP
will be determined upon analysis
of the Pilot Study in late 2009.

Date unknown*

* Dates are dependent upon SWS approval and concurrence with the CAP permit modification request, design, and implementation schedule. These dates may change slightly with the formal filing of the permit modification request.

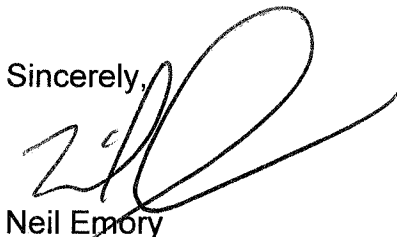
Conclusion

The County has not intentionally disregarded the requirements and deadlines of the Solid Waste Section. We ask that in the future, if any of the County's facilities are in non-compliance, the Harnett County Solid Waste Department and the County's Consulting Engineer (CTC) should be notified immediately so that we may work with the SWS to correct any deficiencies.

Hopefully, the schedule shown above will adequately prove that the County is committed to fulfilling the requirements of SWS Rules 15A NCAC 13B .1636 and .1637.

Please feel free to contact Tyrus Clayton, PE of CTC directly at 910-897-7070 or tyrus@ctclayton.com to discuss this issue further. Also, please copy him on any correspondence concerning solid waste permitting and compliance matters for Harnett County.

Sincerely,



Neil Emory
County Manager
Harnett County

cc: Jerry Blanchard, General Services Manager, Harnett County
C. Tyrus Clayton, Jr., PE, C. T. Clayton, Sr., PE, Inc.
Ed Mussler, NCDENR-DWM-SWS
Geoff Little, NCDENR-DWM-SWS
Zinith Barbee, NCDENR-DWM-SWS
Mark Poindexter, NCDENR-DWM-SWS